

**MOTOROLA**

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8 Number of Pages (Including this page)

Date: February 15, 2005

To: Examiner Wozniak, James S. – Group 2655

Location: United States Patent and Trademark Office

Fax No.: 703-872-9306

From: Jeffrey K. Jacobs (Registration No. 44,798)

Subject: Serial No. 09/767,522 –Proctor et al.

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**MESSAGE:**

Enclosed herewith, please find a RESPONSE Office Action for filing in the below-identified application.

**PLEASE GIVE THESE PAPERS TO:**

EXAMINER:	Wozniak, James S.
GROUP ART UNIT:	2655
SERIAL NO.:	09/767,522
FILED:	January 23, 2001
INVENTOR:	Proctor et al.
ATTORNEY DOCKET NO.:	CE08569R

PTO/SB/21 (08-00)

<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/767,522	<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b>
	Filing Date	January 23, 2001	
	First Named Inventor	Proctor et al.	<b>FEB 15 2005</b>
	Group Art Unit	2655	
	Examiner Name	Wozniak, James S.	
Total Number of Pages in this Submission	Attorney Docket Number	CE08569R	

  

ENCLOSURES		(check all that apply)
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input type="checkbox"/> Other Enclosure(s) (please identify below) <input type="checkbox"/> Response to Restriction Requirement <input type="checkbox"/> Associate Power of Attorney <input type="checkbox"/> RCE <input type="checkbox"/> Copy of Notice to File Missing Parts <input type="checkbox"/> Transmittal of Formal Drawings <input type="checkbox"/> Response to Notice of Non- Recordation of Document
Remarks		

  

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual	Jeffrey K. Jacobs	Registration No.	44,798
Signature	<i>Jeffrey K. Jacobs</i>		
Date	February 15, 2005		

  

CERTIFICATE OF TRANSMISSION	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO to facsimile number 703-872-9306 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date listed below.	
Typed or printed name	Jeffrey K. Jacobs
Signature	<i>Jeffrey K. Jacobs</i>
Date	February 15, 2005

# **AFTER FINAL** **EXPEDITED PROCEDURE**

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I hereby certify that this correspondence is being transmitted via facsimile  
to the Assistant Commissioner for Patents at (703) 872-9306  
(Attention: Examiner Wozniak)  
on February 15, 2005.

Jeffrey A. Jurek 2/15/05  
Signature date

- PATENT -

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT:	Proctor et al.	EXAMINER:	Wozniak, James S
SERIAL NO.:	09/767,522	GROUP:	2655
FILED:	01/23/2001	CASE NO.:	CE08569R
ENTITLED:	METHOD AND APPARATUS FOR REDUCING RATE DETERMINATION ERRORS AND THEIR ARTIFACTS		

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Motorola, Inc.  
Corporate Offices  
1303 E. Algonquin Road  
Schaumburg, IL 60196  
February 15, 2005

**AMENDMENT AND RESPONSE**

Honorable Assistant Commissioner of  
Patents and Trademarks  
Alexandria, VA 22313-1450

Sir:

In view of the issues raised in the office action mailed December 9, 2004, the following amendment and response is hereby respectfully submitted by the applicants. Entry of the amendments submitted herein, reconsideration of any outstanding objections and/or rejections, and allowance of the present application are respectfully requested.